

# **EXHIBIT DD**

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June 24, 2019

Clarkstown Zoning Board of Appeals  
10 Maple Avenue  
New City, New York 10956  
Attn: Catherine Cirrone

Re: Appeal of Ateres Bais Yaakov Academy of Rockland

Dear Ms. Cirrone:

We are co-counsel to Ateres Bais Yaakov Academy of Rockland ("ABY") in connection with the above-referenced appeal. On June 6, 2019, ABY submitted a Special Memorandum of Law Concerning Religious Discrimination in Connection with Ateres Bais Yaakov Academy of Rockland's Appeal and Application for an Area Variance. In that memorandum, ABY advised the ZBA of its legal obligation to continue to hear ABY's appeal, and urged the ZBA to consider the appeal expeditiously in light of the urgency of this matter. The ZBA has not heeded that request. In fact, in a conversation with you on June 18, 2019, nearly two weeks after the submission, we were informed that the ZBA has taken no further action to this date.

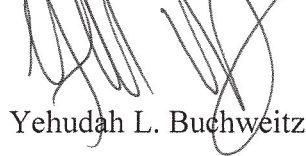
It is apparent that the ZBA continues to inordinately delay this matter in the hope that ABY may lose its resolve to pursue it, thereby allowing a government entity to buy the property at a discount. We respectfully remind you, however, that, in addition to the ZBA's affirmative obligations to consider and reasonably accommodate the free exercise of religion, as set forth in ABY's special memorandum of law, undue delay, in and of itself, can be evidence of invidious discrimination. *See, e.g., Fortress Bible Church v. Feiner*, 734 F. Supp. 2d 409, 503 (S.D.N.Y. 2010); *Westchester Day Sch. v. Vill. of Mamaroneck*, 417 F. Supp. 2d 477, 549 (S.D.N.Y. 2006), *aff'd*, 504 F.3d 338 (2d Cir. 2007); *Israelite Church of God in Jesus Christ, Inc. v. City of Hackensack*, No. 11-CV-5960 SRC, 2012 WL 3284054, at \*2 (D.N.J. Aug. 10, 2012).

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Accordingly, we again urge the ZBA to cease delaying this process and review and respond to ABY's recent submission as expeditiously as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Yehudah L. Buchweitz', written over the text 'Respectfully submitted,'.

Yehudah L. Buchweitz

CC: Ira M. Emanuel, Esq.  
Amy Mele, Esq.